3 APR 1970

MEMORANDUM FOR THE RECORD

SUBJECT   :   Mexican Divorces

REFERENCE :   D/Pers Memorandum for the Record, same subject,
                     dated 23 March 1970

1.   Paragraph 2c of the referent memorandum required a follow up
with the Director, Bureau of Retirement and Insurance on the results of his
review of BRI's policy with respect to annuities payable in cases involving
Mexican divorces.

2.   On 3 April 1970, I had the opportunity to ask Mr. Ruddock if he
had completed his study. He said he had and that BRI's policy will continue
to be the same as in the past, i. e., BRI will not be the one to question the
validity of the current marriage upon which a request for survivorship
benefits is based. In the absence of a conflicting claim received from a
former wife or in the absence of any contest to the payment of benefits to
the present wife, BRI's procedure will result in the award of survivorship
benefits to the current spouse.

3.   During my conversation with Mr. Ruddock I read him the FEGLI
segment of my memorandum for the record, dated 20 March 1970, which is
attached to the referent memorandum. While Mr. Ruddock agreed that at
some point in time it is possible for FEGLI benefits to be paid to one person
qualifying as surviving spouse, and annuity benefits to another, he felt that
the problem would end up being self-correcting. First of all, he doubts
very much that O/FEGLI will award FEGLI benefits to a former wife with-
out checking with BRI to determine the beneficiary for annuity benefits.
Such a check would operate as a brake and would avoid the situation of two
different people qualifying as surviving spouse. Furthermore, even if
O/FEGLI did not check with BRI in advance, BRI would in due course learn
of the payment because of existing reporting requirements between O/FEGLI
and BRI. This would result in a review of benefits being paid by BRI. In
addition, if O/FEGLI actually interpleads, BRI would await the results of
the court determination.

STATINTL

Deputy Director of Personnel
for Special Programs